

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services – Agriculture Department - Sri P.S.Patnaik, Asst. Director Agriculture, Amalapuram, East Godavari District (Now retired) – Disciplinary action initiated u/r 20 of A.P.C.S. (CC&A) Rules, 1991 – Regular inquiry conducted - Penalty of two Annual Grade Increments with cumulative effect by the Commissioner & Director of Agriculture, Hyderabad – Review Petition – Filed petition - Allowed – Orders - Issued.

AGRICULTURE AND COOPERATION (VIG.I) DEPARTMENT

G.O.Rt.No. 904

Dated: 18-07-2009.

Read the following:-

1. Judgement of session judge Rajahmundry, in STC NO. 16/98, dated 9-4-2001.
2. Memo. No.Vig.I(1)429/2001-1, dated 30-8-2001 of the Commissioner & Director of Agriculture, Hyderabad.
3. Memo. No.Vig.I(1)429/2001, dated 1-4-2002 of the Commissioner & Director of Agriculture, Hyderabad.
4. Lr.No.A1/427/1/001, dated 22-5-2002, of the DDA(FTC) Peddapuram and Enquiry Officer.
5. Memo. No.Vig.I(1)429/2001 dated 30-7-2002 of the Commissioner & Director of Agriculture, Hyderabad.
6. Lr.No.A1/4271/01, dated 25-9-2002 of the Jt. Director of Agriculture, Kakinada.
7. Proceedings No.Vig.I(1)429/2001-1, dated 14-11-2002 of the Commissioner & Director of Agriculture, Hyderabad.
8. From Sri P.S.Patnaik, Asst. Director of Agriculture, Amalapuram, East Godavari District (Now retired) dated 6-11-2008.
9. From the Commissioner & Director of Agriculture, Hyderabad Lr. No.Vig.I(1)73/2009, dated 26-3-2009.

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ORDER:-

The Commissioner & Director of Agriculture, Hyderabad, initiated a disciplinary action vide reference 2nd read above Sri P.S.Patnaik, former Asst. Director of Agriculture, Amalapuram, East Godavari District (Now retired) u/r 20 of A.P.C.S. (CC&A) Rules, 1991, for the irregularities of recording wrong information about misbranded fertilizers, in the affidavits filed in the Civil Court, East Godavari District. The Charged Officer has submitted his written statement of defence. Having not satisfied with the explanation of the Charged Officer, the Commissioner & Director of Agriculture, Hyderabad appointed the Deputy Director of Agriculture (FTC) Peddapuram as Inquiry Officer to inquire into the charge, who submitted the Inquiry Report vide reference 4th read above and held the charge proved. After examining the findings of the inquiry Officer, the Commissioner & Director of Agriculture, Hyderabad imposed, vide reference 7th read above, a penalty of withholding of Two Annual Grade Increments with cumulative effect against Sri P.S.Patnaik, former Asst. Director of Agriculture, Amalapuram, East Godavari District (Now retired).

2. Aggrieved by the penalty Sri P.S.Patnaik, former Asst. Director of Agriculture, Amalapuram, East Godavari District (Now retired) has filed an appeal petition in Government, vide reference 8th read above, wherein he has submitted that the fertilizers sample was drawn by the then Agriculture Officer Sri B.Narasimha Rao, and he sent those samples to the FCO Lab., for analysis. Based on the details furnished by the Agriculture Officer, he filed the case in the court. After hearing the case, the judge found fault with the Agriculture Officer Sri B.Narasimha Rao, in submitting a wrong document and directed the authorities to take departmental action against him. He has further stated that the Joint Director of Agriculture, Kakinada who inquired into the matter had concluded the inquiry, without taking into account his explanation. Therefore, the appellant has requested the Government to set aside the punishment of stoppage (2) annual grade increments with cumulative effect, imposed by the Commissioner & Director of Agriculture, Hyderabad.

(PTO)

3. Government after careful examination of his petition, have condoned the delay in filing the appeal petition, under rule 43 of A.P.C.S. (CC&A) Rules, 1991, and have observed that the deceased officer had admitted his mistake well before the inquiry and that the said mistake is not deliberate. Moreover, the penalty imposed against the main Accused Officer ie., Sri B.Narasihmna Rao, Agriculture Officer, concerned had been set aside by the Government, and that no loss of Government funds involved in this case. Government have also taken into account that the individual has expired on 30-3-2009. Therefore, Government have decided to take a lenient view against the deceased appellant and to set aside the penalty of withholding of (2) Annual Grade Increments with cumulative effect imposed by the Commissioner & Director of Agriculture, Hyderabad.

4. Accordingly, Government hereby set aside the penalty of withholding of (2) Annual Grade Increments with cumulative effect imposed against Shri P.S. Patnaik, Asst. Director of Agriculture, Amalapuram, East Godavari District (Retired & Expired) by the Commissioner & Director of Agriculture, Hyderabad. The appeal petition is accordingly allowed.

5. The Commissioner & Director of Agriculture, Hyderabad shall take necessary action in the matter. The original records received in the reference 9th are returned herewith.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**RACHEL CHATTERJEE
PRINCIPAL SECRETARY TO GOVERNMENT**

To

Smt. P.Priya Darshini, W/o. Late P.S.Patnaik, former ADA, Amalapuram,
East Godavari District (retired & Expired) (through C&DA., Hyderabad.)

Copy to:

The Commissioner & Director of Agriculture,
A.P. Hyderabad (w.e.)
Sf/Sc.

// FORWARDED : BY ORDER //

SECTION OFFICER